

1 UNITED STATES DISTRICT COURT  
2 FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

3 -----  
4 CITY OF MEMPHIS, )  
5 )  
6 Plaintiff, )  
7 )  
8 VS. ) No.: 2:19-cv-02864-  
9 ) MSN-cgc  
HORN LAKE CREEK BASIN )  
INTERCEPTOR SEWER )  
DISTRICT and DESOTO )  
COUNTY, MISSISSIPPI, )  
Defendants. )  
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10  
11 THE 30(b)(6) DEPOSITION  
12 OF  
13 ROBERT KNECHT  
14 JUNE 17, 2021  
15  
16  
17  
18  
19  
20  
21

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**Exhibit "F"**

1           The 30(b)(6) deposition of ROBERT KNECHT, is  
2    taken on this, the 17th day of June, 2021, on  
3    behalf of the Defendants, pursuant to notice and  
4    agreement, beginning at approximately 1:15 p.m.,  
5    at Baker Donelson, 165 Madison Avenue, 20th  
6    Floor, Memphis, Tennessee.

7           This deposition is taken pursuant to the  
8    terms and provisions of the Federal Rules of  
9    Civil Procedure.

10          All forms and formalities, excluding the  
11   signature of the witness, are waived, and  
12   objections alone as to matters of competency,  
13   irrelevancy and immateriality of the testimony  
14   are reserved to be presented and disposed of at  
15   or before the hearing.

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1     our jurisdiction, especially in Mississippi. In  
2     Tennessee, because we have shared state sales  
3     tax, there is a benefit to serving other  
4     customers.

5           Q.     So you weren't arguing that the district  
6     hasn't been paying Memphis for the treatment of  
7     its wastewater?

8           A.     No.

9           Q.     To your knowledge, has the district  
10    always paid what it was asked to for treatment of  
11    wastewater?

12          A.     Based on the calculation, yes.

13          Q.     The city's calculation of each annual  
14    rate?

15          A.     Based on the contractual formula agreed  
16    upon by the two entities.

17          Q.     To your knowledge, the district has  
18    never missed a payment?

19          A.     No. To my knowledge, they have always  
20    paid on time.

21          Q.     If you look at the last page of this  
22    article, this is not a quote, it's a paraphrase,  
23    you say that you expect -- Knecht said he expects  
24    to renew sewer services contracts with other

1 be managing the peak flow side of it.

2 Q. Okay. You can set aside the  
3 interrogatories.

4 You have also been designated to talk  
5 about the city's intentions in entering into the  
6 1975 and '83 agreements. Are you prepared to  
7 discuss that?

8 A. Yes, sir.

9 Q. This is already marked as Exhibit 27.  
10 This begins on COM 3988. What is the date on  
11 this document?

12 A. It says October 1974.

13 Q. What does the document appear to be?

14 A. It says Executive Summary of Section 208  
15 Program for Designated Areas Federal Water  
16 Pollution Control Act Amendments of 1972.

17 Q. Who is it produced by?

18 A. U.S. Environmental Protection Agency.

19 Q. If you will look at the third page,  
20 3990, and read the first paragraph entitled Goal.  
21 You can read it to yourself.

22 A. Yes, sir.

23 Q. This document was produced by the city.  
24 Is it the city's understanding that that is a

1 statement by the EPA that the 208 program was  
2 designed to encourage area-wide waste treatment?

3 A. That was the general goal of the 208  
4 program.

5 Q. In this context, specific to the City of  
6 Memphis, what does the city understand area wide  
7 to mean for 208 planning?

8 A. Well, I'm aware of multiple planning  
9 efforts that were underway, MATCOG, Mississippi  
10 Arkansas Tennessee Cooperative Council of  
11 Governments.

12 Multiple planning, we're evaluating  
13 wastewater opportunities, looked at what would be  
14 considered an area, planning area. I think the  
15 concept was to approach anybody and everybody who  
16 would be interested in a collective participation  
17 in wastewater treatment.

18 The way I look at it is some decided to  
19 participated, some did not. So it was basically  
20 a plan, but area was determined based on who  
21 wanted to participate. There was no requirement,  
22 and that is why area is not spelled out  
23 specifically. It's more you can do it, but you  
24 can choose to do it yourself.